

ECF Informer

ISSUE 12

AUGUST 14, 2008

CM/ECF UPDATES

On **Monday, August 18, 2008**, a few filing event changes take affect which may impact your processes as a user of CM/ECF. This issue of the court's ECF news-letter is devoted to those system modifications. Please take a few moments to re-view and, as always, if you have any questions please contact the court at 801-524-6575 or 801-450-3443. Also, available on our website at www.utb.uscourts.gov is the Electronic Case Filing Training and User Guide which may assist you.

OPEN VOLUNTARY BANKRUPTCY CASE

When opening a new bankruptcy case, there are three options in the "Fee Status Field": Paid, Installment, or Fee Not Paid (see Figure 1). Selecting Paid, will charge a filer the full amount at the conclusion of the opening of the bank-ruptcy case. If the selection Fee Not Paid is made, the petition must be accompa-nied by an Application to Proceed In Forma Pauperis. If the Installment option is selected, the petition must be accompanied by an Application to Pay Filing Fees in Installments. Prior to the modifications, a filer could only apply for two equal installment payments. The installment process has been changed to accommodate varying payment amounts, including the op-tion to pay \$0.00 at the opening of the bankruptcy case, and instead spread the case filing fee out over the allowed 120 days. ECF filers using a third party software to prepare new cases, should check with their provider to ensure compatibility with this new enhancement. When a user selects Installments as the fee status, a new prompt will be displayed to insert an amount for payment. If this amount is 0.00, please indicate in the fee field. Users who insert 0.00 in the field will not be charged. Please refer to next page for instructions on the install-ment payment event. Users who insert any other amount will be charged appropriately. Please note: The amount inserted in the field, **MUST MATCH THE APPLICATION TO PAY FILING FEE IN INSTALLMENTS.** (see Figure 2)

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Open Voluntary Bankruptcy Case

Prior filing within last 8 years

Fee status

Nature of debt

Asset notice

Estimated number of creditors

Estimated assets

Estimated liabilities

Figure 1

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Open Voluntary Bankruptcy Case

All Petitions Paid In Installments Must Be Accompanied by An Application to Pay Filing Fees in Installments. INSERT THE AMOUNT YOU WISH TO PAY BELOW. INSERT 0.00 FOR NO AMOUNT.

Fee: 274 for Voluntary Petition (Chapter 13) (FEE)

Next Clear

Figure 2

OUT WITH THE OLD AND IN WITH THE NEW PROCEDURES FOR ELECTRONICALLY PAID FEE

All Electronically Paid Fee events with a numeric value are no longer available on the ECF database. Replacing these events are two new events, 1. Electronically Paid Fee and 2. Electronically Paid Fee—INSTALLMENTS ONLY. Both events are located in Debtor Events and Other categories. (see figure 3)

Figure 3

ELECTRONICALLY PAID FEE— INSTALLMENTS ONLY

This event is to be used for installment payments on bankruptcy case filing fees. Users will insert the appropriate installment amount promised on the Application to Pay Filing Fees in Installments, and then proceed through the credit card payment process. The fee amount inserted by the ECF filer, **MUST MATCH THE FEES LISTED IN THE APPLICATION TO PAY FEE IN INSTALLMENTS.** The event is available in both the Debtor Events and Other categories.

PAYING OTHER COURT FEES USING ECF

The new and improved Electronically Paid Fee event, (located in both the Debtor Events and Other categories), can be used to pay any outstanding court fee, (not already applied to your internet account). For example, you may receive a Clerk's Notice of Fees Due requesting payment of fees. Users can now use this event and select the appropriate amount from the selection list. Please remember when using this event, to relate the fee to the appropriate entry (i.e. a motion, amendment, etc...), do not relate to the Clerk's Notice of Fees Due. After selecting this event and relating it appropriately, a screen prompt will display with a list, from which to select the corresponding fee. In order to avoid unnecessary charges and/or refund issues, users should be careful to select the appropriate fee amount. (see figure 4). To review account fees paid or owed to the court, go to the Utilities menu option in ECF.

Figure 4

AMENDED SCHEDULE (FEE), AMENDED SCHEDULE (NO FEE) AND AMENDED MATRIX AND AMENDED SCHEDULES (COMBINED FEE)

These filing events are available in the Debtor Events and Other categories and have been modified to prompt the user to check a box or boxes indicating the changes made to a case, with the amendment (see figure 5). The Court **strongly encourages**

filers to select all changes which apply to the filed amendment and may be found in the image. The final docket text will reflect the boxes checked. By checking these boxes, anyone reading the docket sheet or Notice of Electronic Filing will have a more clear description of what is being amended. Because of the addition of the check boxes, the open text box that allowed the user to type additional text to the docket sheet was removed from the event. (see figure 6).

08-20101 Edward Carl Price

Type: bk Chapter: 13 v
Judge: WTT Assets: y

Select all that apply (and can be found in image):

- ☐ attorney(s) added
- ☒ new creditors added
- ☐ domestic support creditor(s) added
- ☐ address(es) updated
- ☒ dollar figures amended
- ☐ creditors moved from one schedule to another
- ☐ property added/amended
- ☐ exemptions added/amended
- ☐ statement of affairs amended
- ☒ budget amended
- ☐ add/amend codebtor(s) (Schedule H)
- ☐ add/amend contracts/leases (Schedule G)

Next Clear

Figure 5

ECF Bankruptcy Adversary Query Reports Utilities Logout ?

Debtor Events:

08-20101 Edward Carl Price

Type: bk Chapter: 13 v Office: 2 (Salt Lake City)
Judge: WTT Assets: y Case Flag: PetFeeDue

Docket Text: Final Text

Amended Matrix and Amended Schedules filed by Debtor(s). :Changes indicated: new creditors added, dollar figures amended, budget amended (Crockett, Kyle)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next Clear

Figure 6

United States Bankruptcy Court
District of Utah

Honorable Glen Clark
Chief Judge

David Sime
Clerk of Court

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We're on the web at
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NOTICE OF ENDORSEMENT

Notice of Endorsement event filed without a pdf document. It is simply a virtual entry of an approval of a document that already exists on a case docket. An example would be a stipulation or pending order filed by opposing counsel or by a trustee.

New to ECF is an additional endorsement event for use by debtors' attorneys. This event is located in the Debtor Events category. For any other type of attorney filer there is still a Notice of Endorsement located in the Notices category.

REOPEN CASE – CHAPTER 13

This event, available in the Motions/Applications category, has a new message that will be relevant, only if a fee waiver is requested in the motion or if the trustee is requesting a deferral. You will find a display message discussing the fee associated with this motion, as shown below. The waiver must be specifically requested in the attached motion. Please review this message and act accordingly.

NOTICE OF APPEARANCE OF COUNSEL AND REQUEST FOR NOTICE (NO IMAGE) and NOTICE OF APPEARANCE OF COUNSEL (WITH IMAGE)

The Notice of Appearance and Request for Notice events allow filers to add an attorney and the creditor they represent, within the same event. The attorney will add a party and then make an association for representation of the party. Once the party has been added to the case, filers may then add the same party to the creditor list. Both events, available to file with a PDF image or without an image, are located in the Notices Category.

The Court has recently re-engineered these events in order to eliminate confusion and to make the filing of this event a much easier process.